

MAR 15 2004

OFFICIAL

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	09/683,179	
		Filing Date	11/29/01	
		First Named Inventor	Comiskey	
		Art Unit	2675	
		Examiner Name	Nguyen, Chanh Duy	
Total Number of Pages in This Submission		3	Attorney Docket Number	H-312

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David J. Cole		
Signature			
Date	March 15, 2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David J. Cole		
Signature		Date	March 15, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 15 2004

#8
LTYSON
3/18/04

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/683,179
Confirmation No.: 7982
Application of: Comiskey et al.
Filed: November 29, 2001
Group Art Unit: 2675
Examiner: Nguyen, Chanh Duy

Attorney Docket No.: H-312
Customer No.: 26245

Cambridge, Massachusetts
March 15, 2004

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Via facsimile to (703) 872-9306

Sir:

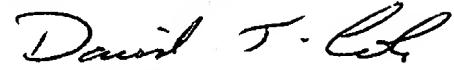
In response to the non-final Office Action issued March 9, 2004 in connection with the above application, the applicants hereby elect Species F, the Species of Figure 6. Claims 1, 7-12, 15, 17, 18 and 20 read on this species.

However, the election requirement is traversed. More specifically, the election requirement is traversed on the groups that the statement in the Office Action that there is no generic claim is in error; claim 1 is generic to the all the species of Figures 1-10. (The undersigned attorney assumes that Paragraph K of the Office Action should have referred to the species of Figure 10, rather than the species of Figure 9.)

Reconsideration and allowance of all claims present in this application is respectfully requested.

Comiskey et al.
Serial No. 09/683,179
Response to Office Action, March 15, 2004
Page 2

Respectfully submitted



David J. Cole
Registration No. 29629

E INK Corporation
733 Concord Avenue
Cambridge MA 02138

Telephone (617) 499-6069
Facsimile (617) 499-6200
E-mail dcole@eink.com